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RAYMOND G. FORTNER, JR.
County Counsel

December 5, 2006

Agenda No. 10
08/22/06

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012


**Re: CONDITIONAL USE PERMIT NUMBER 03-178-(4)
FOURTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permit which proposes the continued operation and modest expansion of a Young Men's Christian Association facility in San Pedro in the La Rambla Zoned District. At the completion of the hearing, you indicated an intent to approve the permit with modified conditions and instructed us to prepare findings and conditions for approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 
RICHARD D. WEISS
Assistant County Counsel
Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel

RDW/

Enclosures

HOA.396337.1

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NUMBER 03-178-(4)**

1. The applicant is requesting a conditional use permit to allow the continued operation and modest expansion of an existing Young Men's Christian Association ("YMCA") facility. The existing operation of the YMCA facility includes appurtenant and accessory activities such as childcare service, recreational facilities, classes, summer youth camp, and community meetings. The proposed expansion consists of a new parking lot, reconfiguration of the existing parking area to provide additional parking, a new 800-square-foot auxiliary building, a new building entrance, and additional outdoor recreational amenities. An adjacent vacant parcel, approximately 0.48 acres, will be included as part of this request to provide additional open space and walking trails.
2. The 5.8-acre, irregularly-shaped site is located at 301 South Bandini Street at the southwest corner of the intersection of Bandini Street and Third Street in the La Rambla Zoned District.
3. Approximately 5.32 acres of the subject property is zoned IT-DP (Institutional-Development Program) and approximately .48 acres is zoned R-2 (Two-Family Residence). The existing YMCA buildings are located within the portion of the property that is zoned IT-DP.
4. The surrounding properties are zoned as follows:

North: R-2 and R-3 (Limited Multiple Residence)
East: R-2 and R-3
South: R-1 (Single-Family Residences) and R-2
West: R-1 and R-2
5. The 5.8-acre subject property is currently developed with an existing YMCA facility consisting of three buildings (approximately 45,500 square feet), 97 parking spaces, and outdoor recreation areas comprised of trails, a sports field, an outdoor seating area, and open space. The existing structures and the parking area are located at the northern portion of the subject property.
6. Surrounding land uses consist of the following:

North: Single and multi-family residences
East: Single and multi-family residences
South: Single and multi-family residences and vacant properties
West: Single and multi-family residences

7. The subject property is designated within the Low Density Residential and Public and Semi-Public Facilities land use classifications in the Los Angeles Countywide General Plan ("General Plan"). The Low Density Residential designation represents areas suitable for single-family developments with densities ranging from one to six units per acre. The General Plan acknowledges a variety of uses such as local, commercial and industrial services, schools, churches, local parks, and other community-serving public facilities that are appropriate within this classification. The Public and Semi-Public Facilities classification includes major existing and proposed public and semi-public uses. This classification provides for the continued operation, expansion, and construction of new facilities, as necessary, to serve current and future County residents.
8. The proposed expansion to the existing YMCA facility, as proposed by the applicant and appropriately conditioned, would be consistent with Low Density Residential and Public and Semi-Public Facilities land use designations of the General Plan. The proposal expansion will provide additional parking for the facility. The subject site has access to urban services and infrastructure, and would not cause significant adverse environmental impacts. The existing YMCA facility has been providing recreation and education programs to the surrounding communities since 1961. The proposed expansion will not conflict with established community land uses and circulation patterns.
9. The site plan submitted by the applicant shows the existing facility on the 5.8-acre subject property, which consists of three buildings (approximately 45,500 square feet), 97 parking spaces, and outdoor recreation areas comprised of trails, a sports field, outdoor seating area, and open space. The existing structures and the parking area are located at the northern portion of the subject property. The plans submitted show the proposed improvements to the existing facility. The applicant is proposing new entry doors for the structures, and an additional parking lot to accommodate 64 spaces, an 800-square-foot auxiliary building, walking trails, and an outdoor seating area that will be located at the southern portion of the property. A total of 190 parking spaces are depicted (108 standard, 97 compact, and 6 handicapped), which results in almost double the number of existing parking spaces. Access to the facility will be provided by two driveways via Third Street to the north and Bandini Street to the east. The additional parking spaces, auxiliary building, and a portion of the walking trails and outdoor seating area will be located on the portion of the property zoned IT-DP. The R-2 zoned portion of the subject property will be used for walking trails and passive recreation.
10. As described below, the proposed uses comply with all applicable development standards of the R-2 and IT-DP zones as provided in Section 22.40.660 and 22.40.710 of the County Code, as follows:

- A. In keeping with the provisions of Chapter 22.20, Part 3 of the County Code regarding the R-2 Zone, the portion of the subject property zoned R-2 will be used for walking trails and passive recreation. No structures or parking spaces will be developed on the R-2 zoned portion of the property as part of the proposed plans.
- B. As provided in Sections 22.40.660 and 22.40.710 of the County Code, the proposed uses comply with all applicable development standards of the IT-DP zone.
 - 1. Design. The arrangement of buildings, architectural design, and types of uses shall be such so as to minimize adverse impacts on adjacent properties.

The applicant is not proposing to expand or significantly alter the existing structures of the facility, the current siting of which reduces impacts to adjacent property. The proposed 800-square-foot auxiliary structure would be located along Bandini Street and would be adequately separated and buffered from adjacent uses by landscaping, existing grade separation, and Bandini Street and Canon Drive, which provide additional buffering. Therefore, the arrangement of the building on the site would not adversely impact adjacent properties.

- 2. Access and Parking. Parking spaces as required by Part 11, Chapter 22.52 shall be provided as well as adequate provisions for vehicular access and loading to prevent undue congestion on adjacent streets and highways, particularly on local streets.

The Department of Public Works ("DPW") has determined the occupant load of the YMCA facility (the existing structures) to be 1,160 persons, which requires 386 parking spaces pursuant to Section 22.52.1110 (one space for each three persons). The facility is not consistent with this requirement. However, parking for the YMCA was determined to be adequate at 97 spaces when the facility was constructed in 1961. The current permit, approved in 1993, allows less than required parking for the facility as the parking standards have been updated. The applicant has maintained 97 on-site parking spaces as required by the conditions of the permit. The applicant is proposing to provide 93 additional parking spaces as part of this expansion. The additional spaces are more than adequate for the incremental development proposed by this application, and the grant of this permit will not result in an exacerbation of the existing parking deficiency authorized by the current permit. Rather the additional parking contemplated herein will serve to reduce that deficiency. The additional parking and the

reconfiguration of the existing parking areas will result in 190 parking spaces. Pursuant to Section 22.56.110 of the County Code, provisions of the Zoning Code may be specifically modified by a Conditional Use Permit. Accordingly, the County finds that the parking provided pursuant to this permit is sufficient and allows the applicant to provide 190 parking spaces as proposed under this permit.

3. Development Features. The development plan shall include yards, walls, walks, landscaping, and such other features as may be needed to make the development attractive, adequately buffered from adjacent, more restrictive use, and compatible with the character of the surrounding area.

The applicant is not proposing to place any structures in the R-2 portion of the subject property. Rather, all structures and parking will be provided on the portion of the property zoned IT-DP. This design will create a buffered area between the adjacent residences and the YMCA. A trail system and seating area will be provided along the southeasterly portion of the site for passive recreation.

4. Signs. The director may allow signs subject to the standards prescribed for the C-1 zone, where he finds that said signs will be compatible with the character and nature of the surrounding area. The applicant's site plan depicts two existing signs located on the northeast corner of the subject property and along the property frontage along Third Street. The applicant is not proposing any new signage.

11. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21000 et seq., the State CEQA Guidelines, and the Environmental Guidelines and Reporting Procedures of the County of Los Angeles. The Initial Study identified potentially significant impacts relating to drainage/water quality, noise, air quality, biota, and traffic. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project which would avoid or mitigate the effects to a point where clearly no significant effects would occur. Based on the Initial Study and project revisions, the Department of Regional Planning ("Department") has prepared a Mitigated Negative Declaration and Mitigation Monitoring Program for this project.
12. A traffic study was prepared by the applicant and reviewed by the DPW, and the recommended mitigation measures have been incorporated into the conditions of approval. The applicant agreed to consolidate the three existing driveways on

Third Street to the easternmost driveway currently aligned with South La Alameda Avenue. Additionally, the applicant will be required to limit construction-related traffic to weekday off-peak hours. Street parking will be restricted a minimum of 25 feet in each direction adjacent to the Third Street driveway and the driveway on South Bandini Street.

13. An acoustical analysis was also prepared by the applicant and the Department of Health Services ("DHS") has reviewed this document and conducted a field investigation. DHS' report concluded that the project will not significantly impact any other property with the noise it will generate nor be significantly impacted by surrounding properties. Project changes and conditions will prohibit team sports, such as football and soccer, on the west side of the subject property and the use of public announcement systems or loud speakers. The recommendations of DHS have been included as part of the conditions of approval. In addition, the Board of Supervisors ("Board") is further limiting construction activities on Saturdays between the hours of 9:00 a.m. and 5:00 p.m., as well as prohibiting earth hauling and grading activities on Saturdays. Construction activities will continue to be prohibited on Sundays and holidays. Additionally, the louvered-style windows on the top of the gymnasium building that face the proposed parking areas and the exterior doors leading to the existing elevator shall remain closed during league games and special events conducted inside the gymnasium building. The applicant will be further required to screen exterior rooftop and ground mechanical equipment with sound-absorbing material, to provide sound-damping material to the existing equipment shelter adjacent to the maintenance entrance located along the southwest corner of the gymnasium building, and will be required to implement additional methods to further reduce noise from the transom/louvered windows at the top of the gymnasium to provide sound-damping material to the existing equipment shelter adjacent to the maintenance entrance located along the southwest corner of the gymnasium building, and will be required to implement additional methods to further reduce noise from the transom/louvered windows at the top of the gymnasium as developed in conjunction with the applicant, the Director of Regional Planning, and the Director of Health Services, and as approved by the Director of Regional Planning and the Director of Health Services.
14. Other project changes and conditions were agreed to by the applicant prior to the circulation of the draft Mitigated Negative Declaration addressing the issues of drainage/water quality, air quality, biota, and mitigation compliance. Given the project changes and additions, and the required project conditions, the Board finds that there is no substantial evidence of a fair argument that the proposal will have a substantial adverse impact on the environment. The changes in the proposed project or conditions necessary to ensure that the proposed project will not have a significant effect on the environment have been included in the Mitigation Monitoring Program prepared for the project. The Mitigation Monitoring Program identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts to the

environment is ensured. The Board finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation.

15. Department staff consulted with the La Rambla Neighborhood Advisory Committee on several occasions as part of the environmental review phase of this project. Comments and concerns, which were presented by the community group, were reviewed and considered by County staff in the final preparation of the Mitigated Negative Declaration and Mitigation Monitoring Program documents. In addition, County staff met with the community group prior to this public hearing to discuss their concerns regarding this project.
16. Prior to the hearing held on this matter before the Regional Planning Commission ("Commission"), the applicant met several times over a two-year period, with local residents and members of the La Rambla Neighborhood Advisory Committee to present and discuss the proposed development. In response to concerns expressed at these meetings, the applicant made major changes to the proposed site layout, including shifting the new parking lot location from the northwest quadrant of the property to the south-central quadrant. Approximately 48 letters, 552 post cards, and a petition with 75 signatures from local residents, business owners, YMCA members, and the principal of a local elementary school were received prior to the Commission's hearing expressing support of the development.
17. Department staff received approximately 25 letters from local residents, representatives of the La Rambla Neighborhood Advisory Committee, and a petition with approximately 176 signatures opposing the development prior to the Commission's hearing. The opposition expressed concern regarding the project's impacts relating to traffic, noise, air quality, project grading, past zoning violations, and the need for an environmental impact report to analyze potential impacts.
18. The Board conducted its public hearing on the proposal on August 22, 2006, and received testimony both in support of, and in opposition to, the proposal. The Board received comments similar in nature to those that the Commission had received in opposition to the proposal.
19. Opposition testimony was received that the YMCA was in serious violation of its existing land use entitlements and that the proposed expansion should not be granted. Zoning Enforcement staff from the Department had earlier investigated the YMCA's recent compliance with the terms of its existing authorization and had determined that the YMCA had been operating without complaints or violations since 2003. Inspections conducted in 2004 during the application process for the current proposal revealed that the facility was in substantial compliance with the conditions of its existing conditional use permit.

20. Opposition comments suggested that the proposed grading would far exceed the 5,305 cubic yards anticipated by the applicant. As part of the environmental analysis for the project, staff reviewed an Earthwork Report prepared by licensed civil engineers, which substantiated the representation that the proposed site work would result in an estimated 270 vehicle trips to import the anticipated required fill material, which comprised 3,507 cubic yards of the 5,305 cubic yards of total earth movement.
21. Opposition comments suggested that lighting from the facility would disturb neighbors and would be incompatible with the residential character of the area. The conditions of approval will require that all parking lot and other exterior lighting (including that affixed to existing and proposed structures) consist of energy efficient lighting be hooded and directed away from neighboring residences. Such lighting shall be turned off within 30 minutes after conclusion of activities, with the exception of low level security lighting along pedestrian walkways.
22. Opposition comments suggested that the proposed construction activity would result in adverse air quality impacts. The conditions of approval will require the applicant to water all graded material at least twice daily to minimize dust. Any materials transported off-site will be required to be either sufficiently watered or securely covered to minimize dust. Additionally, all earth movement will be required to cease during periods where wind velocities exceed 20 miles per hour.
23. The proposed expansion will provide additional parking spaces, an 800-square-foot auxiliary building, and auxiliary amenities such as trails and usable open space for the facility. The applicant is not proposing to expand the existing structures on the subject property.
24. This proposal is consistent with policies of the General Plan. In addition, the YMCA has existed in the community since 1961 and has been providing needed community services.
25. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;

- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private facilities as are required;
- E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community; and
- F. The development has provided adequate vehicular access, parking, and loading so as to prevent undue traffic congestion on local streets and highways.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Indicates that it considered the Mitigated Negative Declaration together with all comments received during the public review process; found on the basis of the whole record before the Board that there is no substantial evidence of a fair argument that the project will have a significant effect on the environment; found that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board; found that, pursuant to section 21081.6 of the Public Resources Code, the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and adopted the Mitigated Negative Declaration and the Mitigation Monitoring Program for the project.
- 2. Approves Conditional Use Permit Case No. 03-178-(4), subject to the attached conditions.

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NUMBER 03-178-(4)

1. This grant authorizes the use of the subject property for the expansion of an existing Young Men's Christian Association ("YMCA") facility with incidental, recreational, educational and social activities, and childcare services, as depicted on the approved "Exhibit A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning ("Department") an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 10, 12, and 13.
4. The permittee shall defend, indemnify, and hold harmless the County of Los Angeles ("County"), its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of section 65009 of the Government Code or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay the Department an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - A. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and

- B. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code ("County Code").

6. This grant shall expire unless used within two years from the date of approval. A one-year time extension may be requested in writing with payment of the applicable fee, at least six months before the expiration date.
7. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. This grant shall terminate on August 22, 2026. Upon the written request with the appropriate fee by the permittee not less than six months prior to the termination date, the Director of the Department ("Director") shall extend the term of this permit for 10 years to August 22, 2036, if the use is found to be in substantial compliance with the conditions of approval and has been conducted in compliance with applicable laws and regulations, and the permittee has exercised utmost diligence to resolve any Notice of Violation throughout the term of the permit.

Upon the termination of this grant or any extension thereof, entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new conditional use permit application shall be filed with the Department at least six months prior to the termination date of this grant, whether or not any modification of the use is requested at that time.

10. The subject property shall be developed, operated, and maintained in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in such full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County the sum of \$7,800. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department for all expenses incurred while inspecting the

premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file at the Department. The fund provides for quarterly inspections for the first two years, and biannual zoning enforcement inspections thereafter and recovery costs for the Department's Staff attendance at eight quarterly community meetings. The applicant shall deposit additional funds to provide 10 annual inspections, if this grant is extended pursuant to Condition No. 9. The inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing, revoke or modify this grant in accordance with Section 22.60.174 of the County Code, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County for all necessary fees associated with such hearing.
12. Within 30 days of the approval date of this grant, the permittee shall deposit the sum of \$3,000 with the Department in order to defray the cost of reviewing and verifying the information contained in the required mitigation monitoring reports.
13. Within 30 days of the approval date of this grant, the permittee shall remit a \$25 processing fee payable to the County of Los Angeles in connection with the filling and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code.
14. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
15. The subject property shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Health Services ("DHS"). Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department. All required sewage disposal and water improvements shall be installed to the satisfaction of DHS prior to the issuance of any certificate of occupancy.

16. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("DPW").
17. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
18. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
19. Within 60 days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of a revised site plan, similar to that presented at the public hearing, that depicts all required project changes including the following: 1) a specific area on-site designated and marked for off-street drop-off and pick-up of children; and 2) a scaled rendering of the size and area of the existing signage. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
20. Within 60 days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which may be incorporated into the Exhibit "A," described above. The landscape plan shall show the size, type, and location of all plants, trees, and irrigation systems, including the landscaping required by Condition No. 31.
21. The applicant shall submit a drainage concept or plan to be reviewed and approved by DPW prior to the issuance any grading permits for the proposed development.
22. The applicant shall comply with all applicable National Pollutant Discharge Elimination System ("NPDES") requirements of the Regional Water Quality Control Board and DPW. Additional information regarding the anticipated sources of wastewater, potential pollutants generated from the operation, and methods of discharge shall be provided to the satisfaction of DPW.
23. The permittee shall comply with all recommendations and conditions set forth in the attached DPW letter dated August 7, 2003, except as otherwise modified by said department.

24. The permittee shall comply with all recommendations and conditions set forth in the attached Los Angeles County Fire Department letter dated May 14, 2004, except as otherwise modified by said department.
25. The permittee shall comply with all recommendations and conditions set forth in the attached DHS letter dated July 15, 2004, except as otherwise modified by said department.
26. During the first two years of this approval, the permittee shall conduct semi-annual (i.e., two times a year) meetings with neighbors and other interested local residents to provide a forum for community input and dialogue regarding the expansion and operation of the facility; thereafter, the permittee shall conduct said meetings annually. If the Director finds additional meetings to be appropriate, the permittee shall schedule additional meetings as instructed. Not less than 10 calendar days before the date of each community meeting, notices of the time and place of the said community meeting shall be sent by first-class mail to the Department's Zoning Enforcement Section, property owners within a 500-foot radius of the subject property, and all local residents who have requested such notification in writing. The community meetings shall be conducted at the YMCA or at a location within the San Pedro area paid for by the YMCA. No member of the public shall be denied access to said community meetings. Representative(s) of the Department's Zoning Enforcement Section shall attend the community meetings during the first two years of this approval. The permittee shall provide minutes, and video and audio recordings of each community meeting to the Department's Zoning Enforcement Section not less than 10 calendar days after each meeting.
27. The construction, operation, and maintenance of the subject YMCA facility shall be further subject to all of the following restrictions:
 - A. All graded material shall be sufficiently watered to prevent excessive amounts of dust during the construction or grading phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
 - B. Project construction, including engine warm-up activity, shall be limited to those hours between 7:00 a.m. and 5:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m., Saturdays. Earth hauling and grading activities shall be prohibited on Saturdays. No construction activities shall be permitted on Sundays and holidays. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effects

on nearby residences. Generators and pneumatic compressors shall be insulated in a manner that will minimize noise impacts to adjacent residences. Parking of construction workers' vehicles shall be on-site. The permittee shall notify all contractors in writing of the parking and schedule restrictions and postings shall be provided on-site stating said restrictions;

- C. A minimum of 190 on-site parking spaces shall be provided and continuously maintained as shown on the approved Exhibit "A," including at least six clearly marked spaces accessible to and reserved for persons with disabilities, one of which shall be van-accessible. Pursuant to Section 22.52.1082, not more than 40 percent or 76 of the 190 spaces shall be designated as compact spaces;
- D. Required parking spaces shall be paved and continuously available for vehicular parking only and shall not be used for storage, vehicle repair, or any other unauthorized use;
- E. The permittee shall maintain a designated off-street drop-off/pickup area for the daycare facility as depicted on the approved Exhibit "A";
- F. All construction equipment and activities at the project site shall be required to comply with the provisions and restrictions of Chapter 12.12 of the County Code (County Building Construction Noise Ordinance);
- G. Outside storage of materials, including inoperable vehicles, is prohibited;
- H. The permittee shall maintain all areas of the subject property free of litter and debris. All outdoor trash containers shall be covered and all trash enclosure areas shall be screened from public and private view corridors by landscaping, berms, compatible structures, or a combination of these;
- I. The permittee shall maintain all landscaping in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation for irrigation of all landscaped areas except where there is turf or other ground cover;
- J. The use of the property for bingo or lotteries is prohibited. Organized events to which the general public is invited, such as fundraisers, bazaars, and rummage sales are permitted in accordance with Part 14 of Chapter 22.56 of the Zoning Code. Said events shall be limited to no more than four times a year and shall require the prior approval of a temporary use permit. This restriction shall not apply to accessory or incidental uses, such as parties, dances, meetings, and activities

associated with the YMCA, which are limited to members of the facility and their guests, and enrollees of programs offered by the YMCA and their guests. A YMCA employee shall be present to supervise said events and activities. All events and activities shall disband no later than 10:00 p.m.;

- K. All YMCA-related activities and programs conducted on-site involving minors shall be monitored or supervised by trained adult volunteers or YMCA employees until the minors are released to the care and custody of a parent or responsible adult;
- L. No minor participating in YMCA-related activities and programs shall be permitted on the subject property without adult supervision after closing time at 10:00 p.m. Parents or legal guardians of minors must be contacted to pick-up their children or dependents and the YMCA staff shall wait with the minor for the parent, guardian, or responsible adult before releasing the minor or leaving the premises;
- M. Renting or leasing of the facility to groups or organizations unaffiliated with the YMCA is strictly prohibited;
- N. The regular hours of operation for the facility shall be between 5:00 a.m. and 10:00 p.m., Monday through Friday, and 7:00 a.m. to 10:00 p.m., Saturday and Sunday. At least one YMCA employee must be present during these hours of operation;
- O. Trash pick-up shall be between 7:00 a.m. and 6:00 p.m., Monday through Friday;
- P. All parking lots and other exterior lighting (including those that are affixed to existing and proposed structures) shall consist of high, energy-efficient lighting and shall be hooded and directed away from neighboring residences to prevent direct illumination and glare. All exterior lighting shall be turned off within 30 minutes after conclusion of activities, with the exception of necessary low-level motion sensor-activated security lighting along all pedestrian walkways leading to and from the parking lot and the property perimeter, which may remain on through the night;
- Q. The permittee shall maintain a current contact name, address, and phone number on file with the Department at all times;
- R. The use of an outdoor public address system or similar acoustical device on the property is prohibited and organized team or league sports such as, but not limited to, football and soccer within the outdoor areas located

at the southeasterly and western portion of the subject property is also prohibited; and

- S. Prior to the issuance of a grading permit, the applicant shall provide a parking management plan subject to the review and approval of the Department. Said plan shall ensure adequate parking is available whether on-site or at temporary off-site locations for events listed in Condition No. 27 of this grant.
28. During the first six months after completion of construction, a YMCA employee or volunteer shall be present at the driveways located at Third Street and Bandini Street to direct and monitor vehicular traffic entering and exiting the facility between the hours of 6:00 a.m. to 7:30 a.m. and 4:00 p.m. to 6:30 p.m., Monday through Friday. Prior to the completion of the six month period, the Director will evaluate the monitoring program and will determine if the program should continue. Also, parking monitors shall be required during all special events which require a temporary use permit.
 29. Lighting at the outdoor seating area located at the southeast corner of the subject property is prohibited with the exception of necessary low-level motion sensor-activated or time-control security lighting along all pedestrian walkways leading to and from the said area and its perimeter.
 30. To minimize potential disturbance to neighboring residents, the transom/louvered style windows located at the top of the gymnasium building that face the proposed parking area and exterior doors leading to the existing elevator shall remain closed during league games and special events conducted inside said building.
 31. The permittee shall provide a landscaping area consisting of hedges and trees along the property frontage at Arcadia Drive to minimize potential disturbance to adjacent residences.
 32. The permittee shall provide and maintain a schedule for professional maintenance of rooftop and pool machinery to assure that equipment is maintained in proper running condition.
 33. The permittee shall provide screening on all exterior mechanical equipment both on rooftops and on the ground. Said screening shall be lined with sound-absorbing material.
 34. The permittee shall implement additional methods to further reduce noise from the transom/louvered style windows located at the top of the gymnasium and weight rooms, as approved by the Director and DHS, which methods do not interfere with the proper natural ventilation of those areas.

35. The permittee shall provide sound-damping material to the existing equipment shelter adjacent to the maintenance entrance located along the southwest corner of the existing gymnasium building.

ATTACHMENTS:

Los Angeles County Department of Public Works letter dated August 7, 2003
Los Angeles County Department of Health Services letter dated July 15, 2004
Los Angeles County Fire Department letter dated May 14, 2004
Mitigation Monitoring Program



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 7, 2003

IN REPLY PLEASE
REFER TO FILE: LD-4

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Witler *Barry S. Witler*
Transportation Planning and Subdivision Review Section
Land Development Division

CONDITIONAL USE PERMIT NO. 03-178

We have reviewed the subject case in the San Pedro area in the vicinity of Bandini Street (301 South Bandini Street) and 3rd Street. This case is to increase on-site parking spaces in order to reduce the demand for off-site parking.

If this permit is approved, we recommend the following conditions:

1. Dedicate right of way for a 13-foot radius return at the corner of Bandini Street and Canon Drive, if not already dedicated.
2. Repair any displaced, broken, or damaged curb, gutter, sidewalk, and pavement on Bandini Street, 3rd Street, Arcadia Drive, and Canon Drive within or abutting the property to the satisfaction of Public Works.
3. Close any unused driveway with curb, gutter, and sidewalk on 3rd Street to the satisfaction of Public works.
4. Construct sidewalk on Arcadia Drive and Canon Drive to the satisfaction of Public Works.
5. Align the centerline of the proposed driveway on 3rd Street with the centerline of La Alameda Avenue to the satisfaction of Public works.
6. Comply with the following street lighting requirements to the satisfaction of Public Works:

- a. Provide street lights on concrete poles with underground wiring on South Bandini Street, 3rd Street, Arcadia Drive, and Canon Drive. Street lighting plans must be approved by the Street Lighting section.
- b. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation is required. Upon Conditional Use Permit approval, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the street lights in the amount of \$72,000 and comply with the conditions listed below in order for the Lighting Districts to pay for future operation and maintenance of street lights. The Board of Supervisors must approve the annexation and/or levy of assessment (should assessment balloting favor levy of assessment) prior to Public Works approving street lighting plans. The street lights shall be installed per approved plans prior to issuance of a Certificate of Occupancy.
 - 1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.
 - 2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
 - 3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed development area to Street Lighting Section. Contact the Street Lighting Section for map requirements, and for any questions at (626) 300-4726.
- c. The area must be annexed into the Lighting District, and all street lights in the project, or the current phase of the project, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, and all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.

Russell Fricano
August 7, 2003
Page 3

- d. Note that the annexation and/or assessment balloting process takes approximately five to six months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans.

WH:ca
CUP 03-178 INCREASE ON-SITE PARKING SPACES.DOC

cc: Traffic and Lighting (Abdelhadi, Chinn)



COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

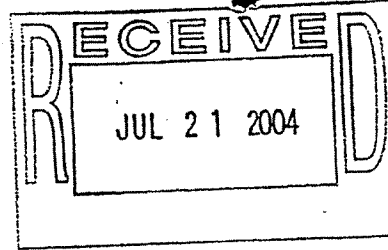
THOMAS L. GARTHWAITE, M.D.
Director of Health Services and Chief Medical Officer

JONATHAN E. FIELDING, M.D., M.P.H.
Director of Public Health and Health Officer

Environmental Health
ARTURO AGUIRRE, Director
5050 Commerce Drive, Room 201
Baldwin Park, CA 91706-1423
TEL (626) 430-5110 FAX (626) 813-3009

Environmental Hygiene Program
5050 Commerce Drive, Room 115
Baldwin Park, CA 91706-1423
(626) 430-5440 FAX (626) 813-3025

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July 15, 2004

Ms. Roxanne Tanemori
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Roxanne Tanemori:

RE: Noise CUP #03-178 YMCA San Pedro, 301 S. Bandini St., San Pedro, CA

This is to inform you that upon review of all documents and investigation at the proposed project at the YMCA San Pedro 301 S. Bandini St., San Pedro, CA., it appears the project will not significantly impact any other property with the noise it will generate nor be significantly impacted by surrounding properties. The following are our comments and or recommendations.

1. Sound monitoring to acquire the Community Noise Equivalent Level (CNEL) was conducted on 7/15/04. Sound monitoring results indicated the following CNEL values:
 - a) Northwest of property, driveway on 3rd st. adjacent to vacant land(west property) and across the street from 1140 W. 3rd St: 55.8 dBA;
 - b) East side of property/proposed reconfigured parking lot near 3rd & Bandini St. Intersection: 59.9 dBA; &
 - c) Southeast of property, Canon Dr. & entrance to vacant land(proposed walkway & crafts bldg.): 53.5 dBA.

The CNEL values were compared to a chart called, "Land Use Compatibility For Community Noise Environments" to see if this project would be compatible with surrounding environmental noise. The chart is from the "Guidelines for the Preparation and Content of Noise Elements for the General Plan," written by the California Department of Health Services. According to the chart, a

CNEL of 53.5, 55.8 & 59.9 (avg. 56.4 dBA) dBA would place the project in the category of "Normally Acceptable" which may not require specialized building construction or noise insulation features included in the design in order to minimize the impact of exterior noise upon building occupants. The only proposed construction of a new building is the Arts and crafts building which will not require any specialized building noise insulation.

2. With regard to the proposed walking trail/landscaped area on the existing vacant land on the west side of the property, we concur that organized play or sports activities (i.e. football, soccer, etc.) be prohibited in this area. We recommend that no loud speaker systems or PA systems be used in this area as well as the other proposed project areas. Ms. Julie Turner, Director of San Pedro YMCA had advised that no loud speakers or PA systems will be used or proposed.
3. The applicant must abide by the County of Los Angeles Noise Ordinance sections with regard to construction, Title 12, section 12.08.440.

We appreciate the opportunity to be of service on this project and look forward to working with you in the future. If you have any questions, please contact Robert Vasquez at (626) 430-5431.

Sincerely,



Cole Landowski, MS, CIH
Head, Environmental Hygiene Program



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

DATE: 05-14-2004

TO: Department of Regional Planning
Permits and Variances

SUBJECT: CUP 03-178

LOCATION: 301 So. Bandini Street.

- ☐ The Fire Department has no additional requirements for this permit.
- ☒ The required fire flow for this development is 4000 gallons per minute for 4 hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- ☐ Install Public and/or On-site and/or Verify / Upgrade 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- ☒ Comments: Provide evidence on LACoFD fire flow form, Form 196, that the hydrants and available flow rate meets LACoFD requirements. This form should be submitted to the Fire Prevention, Land Development office, 5823 Rickenbacker Rd. Commerce - 90040 Phone: 323 890-4243, a for verification of these requirements.
- ☐ Location:
- ☒ Access: Access is adequate as shown.
- ☐ Special Requirements:

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: *Janna Masi*

Co.CUP 04/04

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783

**MITIGATION MONITORING PROGRAM
PROJECT No. 03-178-(4)**

| Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
|--|--|-------------------------------------|-----------------------------|---|
| Drainage/Water Quality Prior to issuance of any building permits, the applicant shall comply with the requirements of the drainage concept/Standard Urban Stormwater Mitigation Plan (SUSMP) which was conceptually approved on December 28, 2004 to the satisfaction of the Department of Public Works. | In compliance with approved drainage concept/SUSMP | Prior to issuance of grading permit | Applicant | Public Works |
| Noise To reduce project's noise impact to the adjacent residential areas, the following activities shall be prohibited within the proposed canyon area on the west side of the site: team sports such as football and soccer and use of public announcement system or loud speakers. | No team sports such as football and soccer and use of public announcement system or loud speakers within the proposed canyon area on the west side | During the life of the permit | Applicant | Health Services Regional Planning |
| All construction and grading activities shall be limited to between 7:00 a.m. to 5:00 p.m. | In compliance with construction schedule as specified | During construction | Applicant | Health Services |
| Air Quality The applicant shall comply with all requirements of a construction management plan incorporating grading and construction best management practices (BMPs) and erosion control measures in order to reduce | Submittal and approval of construction management plan | Prior to issuance of grading permit | Applicant | AQMD Regional Planning Public Works |

MITIGATION MONITORING PROGRAM
PROJECT No. 03-178-(4)

| Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
|---|---|-------------------------------------|-----------------------------|----------------------------|
| air quality impacts associated with earth moving/construction activities. A copy of the construction management plan shall be submitted to the South Coast Air Quality Management District (SCAQMD) for review and approval. A copy of the approved plan shall be forwarded to the Department of Regional Planning and Department of Public Works Building and Safety Division. | | | | |
| Biota Prior to issuance of any grading permit, the applicant shall submit a Landscape Plan to the Department of Regional Planning for review and approval prior to issuance of any grading permit. | Submittal and approval of Landscape Plan | Prior to issuance of grading permit | Applicant | Regional Planning |
| Traffic The three driveways on 3 rd Street shall be consolidated into the easterly most driveway, which is currently aligned with South La Alameda Avenue. | Submittal and approval of 40-foot-scale site plan | Prior to issuance of grading permit | Applicant | Public Works |
| In order to reduce construction related traffic impacts, the applicant shall limit construction-related traffic, especially construction equipment, | Construction traffic to be limited to weekday off-peak hours. | During project construction | Applicant | Public Works |

MITIGATION MONITORING PROGRAM
PROJECT No. 03-178-(4)

| Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
|---|---|--|-----------------------------|----------------------------|
| pickup and dump trucks and other material delivery trucks, be limited to weekday off-peak hours. | | | | |
| Street parking shall be restricted a minimum of 25 feet in each direction adjacent to the recommended driveway on 3 rd Street and the driveway on South Bandini Street. | Submittal and approval of 40-foot-scale site plan | Prior to issuance of grading permit | Applicant | Public Works |
| The applicant shall submit to the Department of Public Works Land Development Review Section a 40-foot-scale site plan showing access locations in relationship to adjacent intersections and driveways and driveways opposite the project frontage. | Submittal and approval of 40-foot-scale site plan showing access locations in relationship to adjacent intersections and driveways opposite the project frontage. | Prior to issuance of grading permit | Applicant | Public Works |
| Mitigation Compliance As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting annual mitigation compliance report to the DRP for review and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented. | Submittal of annual Mitigation Measure Compliance report and replenishment of Mitigation Monitoring account | Annual under such time as all mitigation measures have been implemented. | Applicant | Regional Planning |